

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS

(Authority: A.R.S. § 32-904 et seq.)

Editor's Note: All former rules renumbered, and a new Article 10 added (Supp. 85-5).

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Article 8, consisting of Sections R4-7-60 through R4-7-62, renumbered as Sections R4-7-801 through R4-7-803, effective September 27, 1985 (Supp. 85-5).

Article 8, consisting of Sections R4-7-60 through R4-7-63, repealed effective May 14, 1980 (Supp. 80-3).

Section	
R4-7-801.	Continuing Education Requirements
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Former Sections R4-7-1001 through R4-7-1003 repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2). New Sections R4-7-1001 through R4-7-1003 adopted by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

Article 10, consisting of Sections R4-7-1001 through R4-7-1003, adopted effective September 27, 1985.

Section	
R4-7-1001.	Eligibility; Application
R4-7-1002.	Practice Limitations
R4-7-1003.	Regulation and Termination of the Preceptorship Program
Appendix A.	Repealed
Appendix B.	Repealed
Appendix C.	Repealed
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Appendix E.	Repealed
Appendix F.	Repealed

ARTICLE 11. CHIROPRACTIC ASSISTANTS

Article 11, consisting of Sections R4-7-1101 through R4-7-1103, adopted effective December 18, 1992 (Supp. 92-4).

Section	
R4-7-1101.	Use of the Term "Chiropractic Assistant"
R4-7-1102.	Chiropractic Assistant Training
R4-7-1103.	Scope of Practice

ARTICLE 12. RESTRICTED PERMITS

Article 12, consisting of Sections R4-7-1201 through R4-7-1204, made by final rulemaking at 8 A.A.R. 259, effective December 17, 2001 (Supp. 01-4).

Section	
R4-7-1201.	Eligibility for a Restricted Permit
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ARTICLE 13. CHARGES

Article 13, consisting of Section R4-7-1301, adopted by final rulemaking at 5 A.A.R. 4532, effective November 9, 1999 (Supp. 99-4).

Section	
R4-7-1301.	Additional Charges

ARTICLE 1. BOARD OF CHIROPRACTIC EXAMINERS**R4-7-101. Definitions**

In addition to the definitions in A.R.S. § 32-900, unless otherwise specified, the following terms have the following meanings:

1. "Business day" means Monday through Friday, 8:00 a.m. to 5:00 p.m. except for state recognized holidays.
2. "C.A." means a chiropractic assistant under A.R.S. § 32-900.
3. "Certification" means approval to practice chiropractic specialties under A.R.S. § 32-922.02.
4. "Chiropractor" means doctor of chiropractic, chiropractic physician, or the abbreviation "D.C."
5. "Diagnosis" means the physical, clinical, and laboratory examination of the patient and the use of x-ray for diagnostic purposes, as taught in accredited chiropractic colleges.
6. "Extern" means a student of a Board-approved chiropractic college who participates in the preceptorship training program.
7. "License" means a document issued by the Board to practice chiropractic
8. "Preceptor" means a supervising chiropractor approved by the Board to supervise a student in a Board approved preceptorship training program.
9. "Preceptorship training program" means a Board approved program by which a student may practice chiropractic under the supervision of a preceptor.
10. "Supervision" means a licensed chiropractor is present in the office, sees a patient, and assigns the work to be done. The chiropractor is available to check the work of the supervised individual as it progresses and approves the completed work.

Historical Note

Adopted effective December 31, 1975 (Supp. 75-2). Former Section R4-7-01 renumbered as Section R4-7-101 and amended effective September 27, 1985 (Supp. 85-5). Amended effective December 18, 1992 (Supp. 92-4). Amended effective July 6, 1993 (Supp. 93-3). Amended effective June 19, 1997 (Supp. 97-2). Amended by final rulemaking at 5 A.A.R. 998, effective March 16, 1999 (Supp. 99-1).

R4-7-102. Repealed**Historical Note**

Adopted effective December 31, 1975 (Supp. 75-2). Former Section R4-7-02 renumbered as Section R4-7-102 without change effective September 27, 1985 (Supp. 85-5). Repealed effective July 6, 1993 (Supp. 93-3).

R4-7-103. Renumbered**Historical Note**

Former Section R4-7-03 renumbered as Section R4-7-103 effective September 27, 1985 (Supp. 85-5).

R4-7-104. Meetings

The Board shall hold its annual election of officers during its July meeting.

Historical Note

Former Article I, Rules 1, 2, and 3; Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-04 renumbered as Section R4-7-104 without change effective September 27, 1985 (Supp. 85-5). Amended effective July 6, 1993 (Supp. 93-3).

ARTICLE 2. COMMITTEES**R4-7-201. Formation**

The Board may from time to time appoint such committees as it deems necessary or proper to assist it in carrying out its duties. Committees may be appointed for such periods of time as the Board designates.

Historical Note

Former Article II, Rule 1; Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-10 renumbered as Section R4-7-201 without change effective September 27, 1985 (Supp. 85-5). Amended effective July 6, 1993 (Supp. 93-3).

R4-7-202. Powers and duties

Committees appointed by the Board shall make reports to the Board based on their findings or investigations and may make recommendations for further action by the Board.

Historical Note

Former Article II, Rule 2; Former Section R4-7-11 renumbered as Section R4-7-202 without change effective September 27, 1985 (Supp. 85-5).

R4-7-203. Renumbered**Historical Note**

Former Article II, Rule 3; Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-12 renumbered as Section R4-7-203 effective September 27, 1985 (Supp. 85-5).

ARTICLE 3. HEARINGS**R4-7-301. Investigation of a Complaint**

- A. The Board may investigate any complaint alleging violation of A.R.S. § 32-900 et seq. or these rules.
- B. The seal of the Board and the signature of any member of the Board or its Executive Director shall be attestation of a subpoena compelling the production of documentary evidence under A.R.S. § 32-929.
- C. If the Board finds probable cause that a licensee has violated A.R.S. § 32-900 et seq. or these rules, the Board shall notice the licensee of the time and place for public hearing under A.R.S. Title 41, Chapter 6, Article 10.

Historical Note

Former Article III, Rule 1; Former Section R4-7-15 repealed, new Section R4-7-15 adopted effective December 31, 1975 (Supp. 75-2). Former Section R4-7-15 renumbered as Section R4-7-301 without change effective September 27, 1985 (Supp. 85-5). Section repealed, new Section adopted effective July 6, 1993 (Supp. 93-3). Amended by final rulemaking at 7 A.A.R. 1539, effective March 13, 2001 (Supp. 01-1).

R4-7-302. Service

- A. Service shall be deemed to have been made for and on behalf of the Board of any decision, order, subpoena, notice, or other process when the document or a copy thereof is delivered to the licensee or his attorney of record or is deposited as certified mail in the U.S. Mail, addressed to the licensee at the address shown on the records of the Board.
- B. In addition to service upon the Board or any member of the Board of any pleading, a copy of such pleading shall also be served upon the Attorney General of the state of Arizona.

Historical Note

Former Article III, Rule 2; Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-16 renumbered as Section R4-7-302 without change effective Sep-

tember 27, 1985 (Supp. 85-5). Section repealed, new Section adopted effective July 6, 1993 (Supp. 93-3).

R4-7-303. Conduct of Hearing

- A.** All hearings shall be conducted before the Board or its hearing officer pursuant to A.R.S. Title 41, Chapter 6, Article 6.
1. Parties may stipulate to any facts that are not in dispute. Such stipulations may be made in writing or orally by reading the same into the record of the hearing and will be binding upon the parties unless the Board grants permission to withdraw from them. The Board may, where it considers such action proper, set aside any stipulation and proceed to ascertain the facts.
 2. The Board may, of its own motion or at request of any party, call a conference of the parties at the opening of any hearing or at any subsequent time, for the purpose of clarifying the procedural steps to be followed in the proceeding, or the legal or factual issues involved.
 3. By order of the Board, proceedings involving a common question of law or fact may be consolidated for hearing of any or all the matters of issue.
- B.** The failure of any licensee to appear when noticed at any proceeding before the Board shall leave the Board free to act upon the evidence and information at hand without further notice to the licensee.

Historical Note

Former Article III, Rule 3; Former Section R4-7-17 repealed, new Section R4-7-17 adopted effective December 31, 1975 (Supp. 75-2). Former Section R4-7-17 renumbered as Section R4-7-303 without change effective September 27, 1985 (Supp. 85-5). Section repealed, new Section adopted effective July 6, 1993 (Supp. 93-3).

R4-7-304. Repealed

Historical Note

Former Article III, Rule 4; Former Section R4-7-18 renumbered as Section R4-7-304 without change effective September 27, 1985 (Supp. 85-5). Section repealed effective July 6, 1993 (Supp. 93-3).

R4-7-305. Rehearing; Review of Decision

- A.** Except as provided in subsection (G), any party in a contested case before the Board aggrieved by a decision may file with the Board a written motion for rehearing or review of the decision specifying the particular grounds not later than 30 days after service of the decision.
- B.** A party may amend a motion for rehearing or review at any time before the Board rules on the motion. A party may then respond within 15 days after service of a motion or amended motion. The Board may require the filing of written briefs upon the issues raised in the motion and may provide for oral argument.
- C.** The Board may grant a rehearing or review of a decision for any of the following causes materially affecting the moving party's rights:
1. Irregularity in the administrative proceedings of the Board, its hearing officer, or the prevailing party, or any order or abuse of discretion, that deprives the moving party of a fair hearing;
 2. Misconduct of the Board, its hearing officer, or the prevailing party;
 3. Accident or surprise that could not have been prevented by ordinary prudence;
 4. Newly discovered material evidence that could not with reasonable diligence have been discovered and produced at the original hearing;

5. Excessive or insufficient penalties;
 6. Error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing;
 7. That the Board's decision is a result of passion or prejudice; or
 8. That the decision is not justified by the evidence or is contrary to law.
- D.** The Board may affirm or modify the decision or grant a rehearing or review to all or any of the parties on all or part of the issues for any of the reasons in subsection (C). An order granting a rehearing or review shall specify with particularity the grounds for the order.
- E.** Not later than 10 days after the decision, the Board may, after serving each party notice and opportunity to be heard, order a rehearing or review of its decision for any reason for which it might have granted a rehearing or review on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion. In either case, the order granting a rehearing or review shall specify the grounds on which it is granted.
- F.** When a motion for rehearing or review is based upon an affidavit, the affidavit shall be served with the motion. An opposing party may, within 10 days after service, serve an opposing affidavit. The Board may extend the period for serving an opposing affidavit for not more than 20 days for good cause shown or by written stipulation of the parties. A reply affidavit may be permitted.
- G.** If the Board makes a specific finding that the immediate effectiveness of a particular decision is necessary for the preservation of the public peace, health, and safety and that a rehearing or review of the decision is impracticable, unnecessary, or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing or review, an application for judicial review of the decision may be made within the time limits permitted for applications for judicial review of the Board's final decisions.

Historical Note

Adopted effective September 15, 1978 (Supp. 78-5). Former Section R4-7-19 renumbered as Section R4-7-305 without change effective September 27, 1985 (Supp. 85-5). Amended effective July 6, 1993 (Supp. 93-3). Amended effective June 23, 1997 (Supp. 97-2). Amended by final rulemaking at 7 A.A.R. 1539, effective March 13, 2001 (Supp. 01-1).

ARTICLE 4. EXAMINATIONS

R4-7-401. Repealed

Historical Note

Former Article IV, Rule 1 (in part); Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-20 renumbered as Section R4-7-401 without change effective September 27, 1985 (Supp. 85-5). Repealed effective December 9, 1994 (Supp. 94-4).

R4-7-402. Renumbered

Historical Note

Former Article IV, Rule 1 (in part); Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-21 renumbered as Section R4-7-402 effective September 27, 1985 (Supp. 85-5).

R4-7-403. Repealed**Historical Note**

Former Article IV, Rule 1 (in part); Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-22 renumbered as Section R4-7-403 without change effective September 27, 1985 (Supp. 85-5). Repealed effective December 9, 1994 (Supp. 94-4).

R4-7-404. Investigations

The Board may require an applicant or other person making an affidavit in support of an application to appear and supply to the Board information or documents necessary to establish the qualifications of applicant.

Historical Note

Former Article IV, Rule 2; Former Section R4-7-23 renumbered as Section R4-7-404 without change effective September 27, 1985 (Supp. 85-5). Amended by final rulemaking at 7 A.A.R. 1539, effective March 13, 2001 (Supp. 01-1).

R4-7-405. Refusal to Issue Licenses

If the Board, after investigation of an applicant either before or after the applicant has taken the examination, determines that an applicant is not qualified to be issued a license, the Board shall notify applicant immediately of its decision to refuse to issue a license and the reasons therefore.

Historical Note

Former Article IV, Rule 3; Former Section R4-7-24 renumbered as Section R4-7-405 without change effective September 27, 1985 (Supp. 85-5). Amended effective December 9, 1994 (Supp. 94-4).

R4-7-406. Repealed**Historical Note**

Former Article IV, Rule 4; Former Section R4-7-25 renumbered as Section R4-7-406 without change effective September 27, 1985 (Supp. 85-5). Repealed effective December 9, 1994 (Supp. 94-4).

ARTICLE 5. LICENSES**R4-7-501. Display of Licenses**

A licensee shall, at all times, display the license issued to the licensee by the Board in a conspicuous place in the licensee's office. A licensee shall, upon request, produce for inspection the license renewal certificate for the current calendar year.

Historical Note

Former Article V, Rule 1; Former Section R4-7-30 renumbered as Section R4-7-501 without change effective September 27, 1985 (Supp. 85-5). Amended by final rulemaking at 7 A.A.R. 2821, effective June 12, 2001 (Supp. 01-2).

R4-7-502. Procedures for Processing Initial License Applications

- A. An applicant may obtain a license application package at the Board Office on business days, or by requesting that the Board mail one to an address specified by the applicant. An applicant shall pay the Board a non-refundable \$10 fee for each license application package.
- B. A completed license application package they have shall be submitted to the Board office on business days. The Board shall deem the license application package received on the date that the Board stamps on the package as the package is delivered to the Board office.
- C. To complete a license application package, an applicant shall provide the following information and documentation:

1. Two identical photographs, measuring three inches by four inches, showing the applicant's full front face as the applicant will appear at the time of the examination and a description of identifying characteristics, if any;
 2. The applicant's full current name and any former names;
 3. The applicant's current home and all office addresses, current home and all office phone numbers, all current office fax numbers, and any previous home or office address or addresses for the past five years;
 4. The type of license and certification for which application is made;
 5. All fees required by A.R.S. §§ 32-921(D) and (E) and 32-922.0(E);
 6. A record of education requirements described in A.R.S. § 32-921(B) including the applicant's chiropractic college transcript and the applicant's certificate of attainment of passing scores for Parts I, II, III, and IV of the examination conducted by the National Board of Chiropractic Examiners;
 7. Any record of being convicted of, pleading guilty to or pleading nolo contendere to a misdemeanor or a felony, even if the record of the conviction or plea was sealed or expunged or the conviction was set aside or forgiven, and any record of an arrest, investigation, indictment, or charge within the last 12 months. The applicant shall submit any record of being refused a license to practice chiropractic or any other health care profession in this or any other state, and any record of a formal sanction taken against the applicant's license in this or any other state;
 8. A completed fingerprint card;
 9. A list of all other states or jurisdictions in which the applicant is or has been licensed or certified to practice chiropractic or any other health care profession with a verification of good standing for each current license or certification submitted directly by the licensing agency of the other states or jurisdictions;
 10. The name and professional designation of the owner or owners of the clinic or office at which the applicant will be employed;
 11. The applicant's social security number;
 12. The applicant's notarized signature, attesting to the truthfulness of the information provided by the applicant;
 13. A score of 60% or higher on the Arizona Jurisprudence Examination. The applicant may not sit for the Arizona Jurisprudence Examination until the application package is otherwise complete.
- D. Within 25 business days of receiving a license application package, the Board shall notify the applicant in writing that the package is either complete or incomplete. If the package is incomplete, the notice shall specify what information is missing. If the Board does not provide notice to the applicant, the license application package shall be deemed complete after the passage of 25 business days.
- E. An applicant with an incomplete license application package shall supply the missing information within 60 calendar days from the date of the notice. An applicant who is unable to supply the missing information within 60 calendar days may submit a written request to the Board for an extension of time in which to provide a complete application package. The request for an extension of time shall be submitted to the Board office before the 60-day deadline for submission of a complete application package, and shall state the reason that the applicant is unable to comply with the 60-day requirement and the amount of additional time requested. The Board shall grant a request for an extension of time if the Board finds that the reason the applicant was unable to comply with the 60-day requirement

was due to circumstances beyond the applicant's control and that compliance can reasonably be expected to be remedied during the extension of time.

- F. If an applicant fails to submit a complete license application package within the time permitted, the Board shall close the applicant's file. An applicant whose file has been closed and who later wishes to become licensed, shall apply anew.
- G. After receiving all missing information as specified in subsection (E), the Board shall notify the applicant that the license application package is complete.
- H. The Board shall render a licensing decision no later than 120 business days after receiving a completed license application package. The Board shall deem a completed license application package received on the postmarked date of the notice advising the applicant that the package is complete.
- I. An applicant seeking initial licensure by reciprocity under A.R.S. § 32-922.01 shall submit an application to the Board and shall comply with all provisions of R4-7-502 except that the applicant is not required to submit proof of obtaining a passing score on Part IV of the examination conducted by the National Board of Chiropractic Examiners.
- J. For the purpose of A.R.S. § 41-1073, the Board establishes the following time-frames for initial licenses:
 1. Administrative completeness review time-frame: 25 business days.
 2. Substantive review time-frame: 120 business days.
 3. Overall time-frame: 145 business days.

Historical Note

Former Article V, Rule 2; Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-31 renumbered as Section R4-7-502 without change effective September 27, 1985 (Supp. 85-5). Repealed effective July 6, 1993 (Supp. 93-3). Adopted effective November 1, 1998; filed in the Office of the Secretary of State October 22, 1998 (98-4).

R4-7-503. Renewal License: Issuance, Reinstatement

- A. At least 30 days before a renewal application and renewal fee are due, the Executive Director of the Board shall send by first class mail to a licensee at the licensee's address of record, a renewal application and notice.
- B. The licensee renewal application shall be returned to the Board office on a business day. The date of receipt shall be the postmarked date or the date the licensee hand delivers the license renewal application.
- C. To complete a license renewal application, a licensee shall provide the following information and documentation:
 1. The licensee's full name;
 2. The licensee's current home and office addresses, current home and all office phone numbers, and all current office fax numbers;
 3. The name and professional designation of the owner or owners of the clinic or office at which the licensee is employed;
 4. The licensee's social security number;
 5. A record of any professional disciplinary investigation or sanction taken against the licensee by a licensing board since the licensee last applied for renewal of this license in this or any other state;
 6. A record of any conviction or plea agreement for a misdemeanor or felony since the licensee last applied for renewal of this license;
 7. The renewal fee required by A.R.S. § 32-923;
 8. A list of required continuing education courses that have been completed;

- 9. The licensee's signature attesting to the truthfulness of the information provided by the licensee.
- D. In accordance with A.R.S. § 32-923(C), the Board shall automatically suspend a license if the licensee does not submit a completed application for renewal before January 1 of each calendar year. The Board shall send written notice of the license suspension to the licensee on or before January 20.
- E. The Board shall reinstate a suspended license if the licensee pays the annual license renewal fee, pays an additional fee of \$100 as required by A.R.S. § 32-923(D), and submits a completed license renewal application between January 1, and March 31 of the calendar year for which the license renewal is made.
- F. On or after April 1 of the calendar year for which a license renewal application was to be made, an individual who wishes to have a suspended license reinstated shall apply for reinstatement in accordance with A.R.S. § 32-923(D).
- G. An application for reinstatement of license may be obtained at the Board office on business days or by requesting that the Board mail one to an address specified by the applicant.
- H. A completed application for reinstatement of license shall be submitted to the Board office on a business day. The Board shall deem an application for reinstatement of license received on the date that the Board stamps on the application as it is delivered to the Board office.
- I. To complete an application for reinstatement of license, an applicant shall provide the following information and documentation:
 1. The applicant's full current name, suspended license number, and certification number if a specialty certification was held by the licensee.
 2. The applicant's current home and all office addresses, current home and all office phone numbers, and all current office fax numbers.
 3. The name and professional designation of the owner or owners of the office or clinic at which the applicant will be employed.
 4. The applicant's social security number.
 5. A list of all other states or jurisdictions in which the applicant is or has been licensed or certified to practice chiropractic or any other health care profession with a verification of good standing for each current license or certification submitted directly by the licensing agency of the other states or jurisdictions.
 6. A list of required continuing education courses completed with certification of course completion.
 7. A record of any professional disciplinary investigation or sanction initiated since the applicant last applied to renew this license.
 8. A record of any conviction or plea agreement for a misdemeanor or a felony since the date of the applicant's last application for licensure.
 9. The applicant's notarized signature attesting to the truthfulness of the information provided by the applicant.
- J. The Board shall process a license reinstatement application in accordance with R4-7-502(D) through (J). The Board shall deem the application received on the date that the Board stamps on the application as the application is delivered to the Board Office.
- K. The Board shall reinstate or renew a license if:
 1. The applicant or licensee has complied with the requirements of these rules and A.R.S. § 32-900 et seq. (The Chiropractic Practice Act).
 2. The applicant or licensee has not had any professional disciplinary sanction taken against the applicant's or lic-

ensee's license by a licensing board since the last application for licensure.

3. The applicant or licensee has not been convicted of, pled guilty to, or pled nolo contendere to a misdemeanor or a felony since the last application for licensure.
- L. If the provisions of subsection (K) are satisfied, the Board shall issue a license renewal certificate on or before February 1, of each year. The license renewal certificate shall serve as notice that the renewal application is complete and approved.
- M. If there is reason to believe that the provisions of subsection (K) have not been satisfied or that possible grounds for denying the renewal or reinstatement application exist, the Board shall notify the applicant of this possibility within 25 business days of the date that the application is received at the Board office.
- N. An applicant who is so notified that renewal or reinstatement may be denied may provide a written response and shall submit any documentation as required by the Board within 60 calendar days from the date of notice. An applicant who is unable to supply the required documentation within 60 calendar days may submit a written request to the Board for an extension of time in which to provide the required documentation. The request for an extension of time shall be submitted to the Board office before the 60-day deadline for submission of the required documentation, and shall state the reason that the applicant is unable to comply with the 60-day requirement and the amount of additional time requested. The Board shall grant a request for an extension of time if the Board finds that the reason the applicant was unable to comply with the 60-day requirement was due to circumstances beyond the applicant's control and that compliance can reasonably be expected to be remedied during the extension of time.
- O. If an applicant fails to submit required documentation within the time permitted, the Board shall issue a notice of intent to deny the renewal application.
- P. The Board shall render a licensing decision no later than 70 business days after receiving all required documentation as specified in subsection (N). The Board shall deem required documentation received on the date that the Board stamps on the documentation as the documentation is delivered to the Board's office.
- Q. For the purpose of A.R.S. § 41-1073, the Board establishes the following time-frames for renewal licenses:
 1. Administrative completeness review time-frame: 25 business days.
 2. Substantive review time-frame: 70 business days.
 3. Overall time-frame: 95 business days.

Historical Note

Former Article V, Rule 3; Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-32 renumbered as Section R4-7-503 effective September 27, 1985 (Supp. 85-5). Adopted effective November 1, 1998; filed in the Office of the Secretary of State October 22, 1998 (98-4).

R4-7-504. License: Denial

If the Board denies a license, the Board shall send the applicant written notice explaining:

1. The reason for denial, with citations to supporting statutes or rules;
2. The applicant's right to seek a fair hearing to challenge the denial; and
3. The time periods for appealing the denial.

Historical Note

Former Article V, Rule 4 (in part); Amended effective December 31, 1975 (Supp. 75-2). Former Section R4-7-

33 renumbered as Section R4-7-504 without change effective September 27, 1985 (Supp. 85-5). Repealed effective July 6, 1993 (Supp. 93-3). Adopted effective November 1, 1998; filed in the Office of the Secretary of State October 22, 1998 (98-4).

R4-7-505. Renumbered

Historical Note

Former Article V, Rule 4 (in part); Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-34 renumbered as Section R4-7-505 effective September 27, 1985 (Supp. 85-5).

ARTICLE 6. ACUPUNCTURE CERTIFICATION

R4-7-601. Definition of Acupuncture as Applied to Chiropractic

- A. Acupuncture as applied to chiropractic is stimulation, preparatory and complementary to an adjustment, of a certain meridian point or points on or near the surface of the body to control and regulate the flow and balance of energy of the body.
- B. Acupuncture includes acupuncture by needle, electrical stimulation, ultrasound, acupressure, laser, auricular therapy, or any implement that stimulates acupuncture points.
- C. Acupuncture does not include cupping, moxibustion, or cosmetic therapy.

Historical Note

Repealed effective December 31, 1975 (Supp. 75-2). New Section R4-7-40 adopted effective January 25, 1984 (Supp. 84-1). Former Section R4-7-40 renumbered as Section R4-7-601 without change effective September 27, 1985 (Supp. 85-5). Amended by final rulemaking at 7 A.A.R. 2821, effective June 12, 2001 (Supp. 01-2).

R4-7-602. Repealed

Historical Note

Repealed effective December 31, 1975 (Supp. 75-2). New Section R4-7-41 adopted effective January 25, 1984 (Supp. 84-1). Former Section R4-7-41 renumbered as Section R4-7-602 without change effective September 27, 1985 (Supp. 85-5). Repealed effective December 9, 1994 (Supp. 94-4).

R4-7-603. Renumbered

Historical Note

Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-42 renumbered as Section R4-7-603 effective September 27, 1985 (Supp. 85-5).

R4-7-604. Renumbered

Historical Note

Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-43 renumbered as Section R4-7-604 effective September 27, 1985 (Supp. 85-5).

R4-7-605. Renumbered

Historical Note

Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-44 renumbered as Section R4-7-605 effective September 27, 1985 (Supp. 85-5).

R4-7-606. Renumbered

Historical Note

Repealed effective December 31, 1975 (Supp. 75-2). Former Section R4-7-45 renumbered as Section R4-7-606 effective September 27, 1985 (Supp. 85-5).

ARTICLE 7. STANDARDS OF EDUCATION**R4-7-701. Repealed****Historical Note**

Adopted as an emergency effective June 24, 1977 (Supp. 77-3). Former Section R4-7-50 adopted as an emergency pursuant to A.R.S. § 41-1003, valid for only 90 days. New Section R4-7-50 adopted effective December 29, 1977 (Supp. 77-6). Former Section R4-7-50 renumbered as Section R4-7-701 without change effective September 27, 1985 (Supp. 85-5). Amended effective July 6, 1993 (Supp. 93-3). Section repealed by final rulemaking at 8 A.A.R. 4895, effective January 7, 2003 (Supp. 02-4).

R4-7-702. Educational Requirements for Licensure

To qualify for licensure, an individual shall have graduated from a college of chiropractic that is accredited as specified in A.R.S. § 32-921(B)(2)(a) or that meets the standards of education for accreditation contained in The Council on Chiropractic Education Standards for Doctor of Chiropractic Programs and Institutions.

Historical Note

Adopted as an emergency effective June 24, 1977 (Supp. 77-3). Former Section R4-7-51 adopted as an emergency pursuant to A.R.S. § 41-1003, valid for only 90 days. New Section R4-7-51 adopted effective December 29, 1977 (Supp. 77-6). Former Section R4-7-51 renumbered as Section R4-7-702 without change effective September 27, 1985 (Supp. 85-5). Amended effective July 6, 1993 (Supp. 93-3). Section repealed; new Section made by final rulemaking at 8 A.A.R. 4895, effective January 7, 2003 (Supp. 02-4).

ARTICLE 8. CONTINUING EDUCATION**R4-7-801. Continuing Education Requirements**

- A.** To be eligible to renew a license, a licensee shall complete 12 credits of continuing education between January 1 and December 31 of each year. A credit of continuing education is defined as 60 minutes of education.
- B.** A licensee shall obtain continuing education credit in the following manner:
 1. By attending or participating in a course, seminar, or workshop on subjects listed in A.R.S. §§ 32-922(B) or 32-922.02 that is taught at or sponsored by an organization listed in A.R.S. § 32-921(B).
 2. By teaching a post-graduate course as a faculty member of a Council on Chiropractic Education-accredited chiropractic college. Continuing education credits earned in this manner are calculated as two credits of continuing education for each hour of post-graduate course instruction for the first course presentation, and one credit for each hour of instruction after the first course presentation. A maximum of six credits of continuing education credit may be earned in this manner annually.
 3. By completing post-graduate mediated instruction or programmed learning courses under an accredited college or university only. Mediated instruction and programmed learning refers to learning transmitted by intermediate mechanisms such as audio or visual tape or telephone. A licensee shall obtain a certificate of program completion from the accredited college or university to verify compliance with this provision.
- C.** The Board shall award continuing education credit only for continuing education subjects listed in A.R.S. §§ 32-922(B) and 32-922.02.

- D.** The Board shall grant an extension of 90 days to comply with the continuing education requirements to a qualified licensee. To qualify for an extension, a licensee shall:
 1. Timely file a license renewal application and renewal fee; and
 2. Submit a written request for an extension, including evidence of good cause why the continuing education requirements were not met.
- E.** The following reasons constitute good cause for the Board to grant an extension of time to comply with the continuing education requirements:
 1. The licensee graduated from an accredited chiropractic college, or a college that meets the requirements of R4-7-702, during the year that the continuing education requirements are to be met;
 2. The licensee lived in a country where there was no accredited chiropractic college, or a college that meets the requirements of R4-7-702, for at least seven months during the year that the continuing education requirements are to be met;
 3. The licensee was in active military service for at least seven months during the year that the continuing education requirements are to be met; or
 4. The licensee was not able to complete the continuing education requirements because of a documented disability of the licensee or the licensee's spouse, child, or parent.
- F.** If the Board grants an extension of time in which to complete the continuing education requirements, the continuing education credits obtained during the 90-day extension shall be applied to meet only the requirements for which the extension is granted. A licensee shall not report continuing education credit earned during a 90-day extension for a subsequent renewal year.

Historical Note

Adopted as an emergency effective Oct. 7, 1977 (Supp. 77-5). Former Section R4-7-60 repealed, New Section R4-7-60 adopted effective December 29, 1977 (Supp. 77-6). Repealed effective May 14, 1980 (Supp. 80-3). Former Section R4-7-60 renumbered as Section R4-7-801 effective September 27, 1985 (Supp. 85-5). Adopted effective June 19, 1997 (Supp. 97-2). Amended by final rulemaking at 7 A.A.R. 2821, effective June 12, 2001 (Supp. 01-2).

R4-7-802. Documenting Compliance with Continuing Education Requirements

- A.** A licensee shall retain documents to verify compliance with the continuing education requirements for at least five years from the date the continuing education credit is used to qualify the licensee for renewal.
- B.** With each license renewal application, a licensee shall attest by providing the licensee's signature, that the licensee has met the continuing education requirements, and will comply with subsection (A).
- C.** The Board may require a licensee to provide documentation to verify compliance with continuing education requirements, including that:
 1. Each continuing education credit was for 60 minutes of education;
 2. The requirements of subsections (A) and (B) were satisfied;
 3. Continuing education credit was earned between the immediately preceding January 1 and the date that the license renewal application was filed or the date on which an extension of time expired; and
 4. No continuing education credit earned between the immediately preceding January 1 and the date that the

license renewal application was filed was earned under an extension of time to comply with the continuing education requirements of a previous year.

Historical Note

Adopted as an emergency effective Oct. 7, 1977 (Supp. 77-5). Former Section R4-7-61 repealed, new Section R4-7-61 adopted effective December 29, 1977 (Supp. 77-6). Repealed effective May 14, 1980 (Supp. 80-3). Former Section R4-7-61 renumbered as Section R4-7-802 effective September 27, 1985 (Supp. 85-5). Adopted effective June 19, 1997 (Supp. 97-2).

R4-7-803. Effect of Suspension on Continuing Education Requirements

A licensee whose license is suspended under A.R.S. §§ 32-923, 32-924, or 32-931, shall complete 12 credits of continuing education for each calendar year or part of a calendar year that the license is suspended before the license may be reinstated or renewed.

Historical Note

Adopted as an emergency effective Oct. 7, 1977 (Supp. 77-5). Former Section R4-7-62 repealed, new Section R4-7-62 adopted effective December 29, 1977 (Supp. 77-6). Repealed effective May 14, 1980 (Supp. 80-3). Former Section R4-7-62 renumbered as Section R4-7-803 effective September 27, 1985 (Supp. 85-5). Adopted effective June 19, 1997 (Supp. 97-2).

ARTICLE 9. UNPROFESSIONAL CONDUCT

R4-7-901. Advertising of a Deceptive and Misleading Nature

The Board shall investigate an allegation of advertising in a false, deceptive, or misleading manner by a licensee and may sanction a licensee for a violation under A.R.S. § 32-924. Advertising of a false, deceptive, or misleading manner includes, but is not limited to, the following:

1. Advertising painless procedures;
2. Advertising complete health services; or
3. Advertising that uses the words "specialist," "specializing," or "expert."

Historical Note

Adopted effective May 8, 1978 (Supp. 78-3). Former Section R4-7-70 renumbered as Section R4-7-901 without change effective September 27, 1985 (Supp. 85-5). Amended by final rulemaking at 8 A.A.R. 4895, effective January 7, 2003 (Supp. 02-4).

R4-7-902. Unprofessional or Dishonorable Conduct Activities

Unprofessional or dishonorable conduct, as used in A.R.S. § 32-924(B)(5), means:

1. Referring a patient to a diagnostic or treatment facility or prescribing goods and services to be purchased from a facility in which the chiropractic physician has any pecuniary interest, without disclosing in writing to the patient and any third party payor, the chiropractic physician's interest.
2. Knowingly making a false or misleading statement to the Board, its investigators or representatives, a patient, or a third party payor.
3. Failing to create and maintain a patient record that includes the patient's health history, examination findings, diagnostic results, x-ray films if taken, x-ray reports, treatment plan, and notes for each patient visit. The notes for each patient visit shall include the patient's name, the date of service, the chiropractic physician's findings, all

services rendered, and the name or initials of the chiropractic physician who provided services to the patient.

4. Failing to maintain a patient's record, including x-rays, for at least five years after the last treatment date, or failing to provide written notice to the Board, about how to access the patient records of a chiropractic practice that is closed, for at least five years after each patient's last treatment date. The patient records of minors shall be maintained for five years beyond the minor's 18th birthday.
5. Failing to release a copy of a patient's record, diagnostic quality radiographic copy x-rays, or both to another licensed physician, the patient, or the authorized agent of the patient, within 10 business days of receiving a written request to do so, or failing to return original x-rays to a licensed physician within 10 business days of a written request to do so.
6. Representing that the licensee is certified by this Board in a specialty area in which the licensee is not certified, or has academic or professional credentials that the licensee does not have.
7. Practicing under, or billing for services under any name other than the name by which the chiropractic physician is licensed, including corporate, business, or other licensed health care providers' names, without first notifying the Board in writing.
8. Suggesting, or having sexual contact, as defined in A.R.S. § 13-1401, with an individual in the course of patient treatment, (other than with an individual with whom a current consensual personal relationship exists before a chiropractor/patient relationship was established).
9. Charging a fee for services not rendered.
10. Failing to allow properly authorized Board personnel to have, on demand by subpoena, access to any document, report, or record maintained by the chiropractic physician relating to the chiropractic physician's practice or professional activities.
11. Failing to supervise properly a chiropractic assistant employed by the chiropractic physician.
12. Failing to report in writing to the Board any information based upon personal knowledge that a chiropractic physician may be grossly incompetent, guilty of unprofessional or dishonorable conduct, or mentally or physically unable to provide chiropractic services safely. Any person who reports or provides information to the Board in good faith is not subjected to civil damages as a result of that action. If the informant requests that the informant's name not be disclosed, the Board shall not disclose the informant's name unless it is essential to the disciplinary proceedings conducted under this Section.
13. Violating any federal or state law or rule or regulation applicable to the practice of chiropractic.

Historical Note

Adopted effective September 9, 1997 (Supp. 97-3).

ARTICLE 10. PRECEPTORSHIP TRAINING PROGRAM

R4-7-1001. Eligibility; Application

A. Both extern and preceptor shall submit a written application to the Board for approval of participation in a preceptor training program. The Board shall process the application within the time-frames provided in R4-7-502(J).

1. The application shall be submitted on a form that contains:
 - a. The extern's photo;

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- b. The extern's and preceptor's names, addresses, telephone numbers, and any other names of the extern or preceptor;
 - c. The preceptor's license number, number of years in practice, and disciplinary history;
 - d. A waiver of confidentiality under subsection (B)(2) and notarized signature from both the extern and preceptor;
 - e. The beginning and ending date of the program;
 - f. Location, days, and hours of the program;
 - g. The name and contact number for the college sponsoring the preceptorship program under subsection (B)(1);
 - h. The date of extern graduation from a chiropractic college and identification of the proposed scope of the program for which the application is being submitted and the eligibility of the applicants for approval.
2. The application shall require the extern and the preceptor to disclose any convictions or sanctions and whether the extern or preceptor is currently under investigation for a violation of criminal or administrative law.
- B.** Except as provided in subsection (D), the Board shall approve participation by an extern who does not come under subsection (C) and who:
- 1. Concurrently participates in an undergraduate or postgraduate preceptorship program offered by an accredited chiropractic college and provides verifiable proof of enrollment;
 - 2. Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college to evaluate the extern's eligibility for or performance in the program;
 - 3. Provides a certificate of attainment on Parts I and II of the examination by the National Board of Chiropractic Examiners;
 - 4. Successfully completes and provides documentation of the coursework required by A.R.S. § 32-922.02 for practice of chiropractic specialties, if specialties are to be included in the training program; and
 - 5. Submits the \$75.00 filing fee, which is non-refundable except if A.R.S. § 41-1077 applies.
- C.** The Board shall not approve participation for an extern who:
- 1. Has been the subject of disciplinary sanction or convicted of a felony or misdemeanor involving moral turpitude;
 - 2. Is currently under investigation for a licensing violation, or a felony or misdemeanor involving moral turpitude;
 - 3. Fails to demonstrate good character and reputation;
 - 4. Fails to demonstrate the physical and mental ability to practice chiropractic skillfully and safely; or
 - 5. Has practiced chiropractic without a license or through participation in an approved preceptor program.
- D.** The Board shall approve participation for a preceptor who:
- 1. Concurrently participates as a preceptor at the chiropractic college in which the extern is enrolled throughout the time period of the preceptor program and provides verifiable proof of participation;
 - 2. Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college to evaluate the preceptor's eligibility for or performance in the program; and
 - 3. Is continuously licensed in Arizona for at least five years before the date the program is to begin and, if the program is to include practice of chiropractic specialties, is

certified in those specialties for at least three years before the date upon which the program is to begin; and

- E.** The Board shall not approve participation for a preceptor who:
- 1. Has been the subject of disciplinary sanction or convicted of a felony or a misdemeanor involving moral turpitude;
 - 2. Is currently under investigation for a licensing violation, felony, or misdemeanor involving moral turpitude;
 - 3. Fails to demonstrate good character and reputation; or
 - 4. Fails to demonstrate the physical and mental ability to practice chiropractic skillfully and safely.

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Section repealed and new Section adopted by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2). Amended by final rulemaking at 8 A.A.R. 3293, effective July 17, 2002 (Supp. 02-3).

R4-7-1002. Practice Limitations

- A.** Under the supervision of the preceptor and commensurate with the extern's education, training, and experience, an extern may engage in the practice of health care, as defined in A.R.S. § 32-925, except that an extern shall not perform any procedure defined as a chiropractic specialty requiring certification unless the extern and the preceptor have met the eligibility requirements in R4-7-1001 for that specialty.
- B.** At all times when patients may be present, the extern shall wear a badge showing the extern's name and the title "Extern" in capital letters equal in size to the name.
- C.** Before an extern conducts an examination or renders care to a patient, the preceptor shall secure from the patient a written consent to the examination or care. The written consent shall specify that the patient understands that an extern is not a licensed doctor, and that the preceptor retains responsibility for quality of care. The preceptor shall maintain the signed consent as a part of the patient's file.

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Section repealed and new Section adopted by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

R4-7-1003. Regulation and Termination of the Preceptorship Program

- A.** The Board, on its own initiative or upon receipt of a complaint, may investigate conduct of an extern or preceptor occurring within the program for compliance with this Chapter and A.R.S. § 32-924. The Board may, pursuant to A.R.S. § 32-929, obtain patient records as part of the investigation.
- B.** If after investigation, the Board determines that the conduct of the extern or preceptor imperatively requires emergency action, the Board shall suspend approval of the program pending proceedings for termination or other action. The Board shall promptly notify the extern, the preceptor, and the college of the suspension, the reasons for the suspension, and the conditions under which the suspension may be lifted, if any.
- C.** If after a hearing, the Board determines that the conduct of the preceptor or the extern constitutes a violation of this Chapter or A.R.S. § 32-924, the Board shall terminate the program and may sanction the preceptor or deny licensure to the extern if the extern has applied for a license.
- D.** If the Board receives written verification from a chiropractic college that the extern or preceptor is no longer concurrently participating in the associated chiropractic college program, the Board shall terminate approval of the extern's training program.
- E.** An extern may participate in a preceptorship program until the results of the next scheduled Part IV of the National Board of

Chiropractic Examiners examination are released or for six months immediately following the extern's date of graduation from chiropractic college, whichever occurs first.

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Section repealed and new Section adopted by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2). Amended by final rulemaking at 8 A.A.R. 3293, effective July 17, 2002 (Supp. 02-3).

Appendix A. Repealed

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

Appendix B. Repealed

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

Appendix C. Repealed

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

Appendix D. Repealed

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

Appendix E. Repealed

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

Appendix F. Repealed

Historical Note

Adopted effective September 27, 1985 (Supp. 85-5). Repealed by final rulemaking at 5 A.A.R. 1602, effective May 20, 1999 (Supp. 99-2).

ARTICLE 11. CHIROPRACTIC ASSISTANTS

R4-7-1101. Use of the Term "Chiropractic Assistant"

Only a chiropractic assistant as defined in A.R.S. § 32-900 who assists a chiropractor by performing basic health care duties, shall use the term "chiropractic assistant" or "C.A."

Historical Note

Adopted effective December 18, 1992 (Supp. 92-4). Amended by final rulemaking at 5 A.A.R. 998, effective March 16, 1999 (Supp. 99-1).

R4-7-1102. Chiropractic Assistant Training

- A. A C.A. shall complete 24 clock hours of coursework, with a minimum of four hours in each of the following subjects: chiropractic principles, management of common diseases, history taking, recordkeeping, professional standards of conduct, and CPR. If a chiropractor supervising C.A. is certified in a specialty under A.R.S. § 32-922.02, the C.A. shall complete 12 hours of additional training in that specialty.
- B. A C.A. shall take coursework from a Board-approved facility or chiropractor. The facility or chiropractor providing coursework shall submit documentation that describes each subject

listed in subsection (A) to the Board for approval prior to offering the course.

- C. A C.A. shall begin Board-approved coursework within three months of initial employment with a supervising chiropractor, and shall complete the coursework within one year of initial employment with the supervising chiropractor.
- D. A C.A. shall register with the Board or its designee upon completing required coursework. A C.A. shall submit a separate registration form for each place of employment and supervisor. A C.A. shall submit documentation to the Board or its designee on a Board-approved form, signed by the supervising chiropractor, showing the date that the C.A. completed each required subject. The Board shall issue the C.A.'s registration upon approval of the registration form.
- E. A chiropractor supervising a C.A. shall maintain at the C.A.'s place of employment a copy of the C.A.'s registration.

Historical Note

Adopted effective December 18, 1992 (Supp. 92-4). Amended by final rulemaking at 5 A.A.R. 998, effective March 16, 1999 (Supp. 99-1).

R4-7-1103. Scope of Practice

- A. A C.A. shall perform only tasks that are:
 1. Consistent with a supervising chiropractor's licensure and certification; and
 2. Delegated by the supervising chiropractor.
- B. A C.A. shall not take an x-ray.
- C. A supervising chiropractor shall be responsible for all acts or omissions of a supervised C.A.
- D. A person who does not meet the coursework requirements of R4-7-1102 shall perform only clerical or administrative duties.

Historical Note

Adopted effective December 18, 1992 (Supp. 92-4). Amended by final rulemaking at 5 A.A.R. 998, effective March 16, 1999 (Supp. 99-1).

ARTICLE 12. RESTRICTED PERMITS

R4-7-1201. Eligibility for a Restricted Permit

The Board shall grant a restricted permit to practice chiropractic in this state if the applicant:

1. Submits a complete application to the Board;
2. Meets all requirements under A.R.S. § 32-921(B)(1) through (B)(3) and (C) and A.R.S. § 32-932;
3. Has a Certificate of Attainment for Part I and Part II of the examination conducted by the National Board of Chiropractic Examiners (NBCE);
4. Takes and passes the Arizona jurisprudence examination with a score of at least 75%; and
5. Has not had a license to practice a health care profession suspended or revoked in any state.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 259, effective December 17, 2001 (Supp. 01-4).

R4-7-1202. Application for Restricted Permit

- A. An applicant may obtain a restricted permit application package at the Board Office on any business day, or may request a package be mailed to the applicant. The applicant shall pay a non-refundable \$10 fee for each application package.
- B. A completed restricted permit application package may be submitted to the Board office on any business day. The Board shall consider the date of application to be the date of receipt stamped by the Board office.
- C. With the exception of the information required by subsection (C)(12), an applicant shall submit a completed restricted permit application package to the Board at least 45 days before

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the date of the Arizona jurisprudence examination. A complete application package shall contain the following:

1. Two current identical color photographs showing the applicant's full face and a description of any identifying characteristics;
 2. The applicant's full legal name and any former names or aliases;
 3. All of the applicant's current home and office addresses, home and office phone numbers, office facsimile numbers, and all previous home or office addresses for the five years preceding the date of application;
 4. The applicant's chiropractic college transcript and the applicant's certificate of attainment of passing scores for Parts I and II of the NBCE examination;
 5. The applicant's social security number;
 6. Any record of a conviction, guilty plea or nolo contendere plea to a misdemeanor or felony, even if the conviction or plea was sealed, expunged, set aside, or forgiven, and any record of an arrest, indictment, or civil penalty or criminal charge.
 7. A completed fingerprint card and the \$25 processing fee;
 8. A list of all other states or jurisdictions where the applicant is or has been licensed to practice chiropractic or licensed to practice any other health care profession, with a verification of good standing submitted directly to the Board by the licensing agency of the state or jurisdiction. The verification of good standing shall state whether the applicant has been denied a license, a license has been sanctioned or whether the applicant's license has been suspended or revoked;
 9. Verification that the applicant has held an active license as a chiropractic physician for the five years immediately preceding application, submitted directly to the Board by the licensing agency of the state or jurisdiction;
 10. A copy of the applicant's contract with a charitable clinic or organization that identifies the name and location of the organization and contains the information required by A.R.S. § 32-932(C) and documentation that the organization meets the requirements of § 501(C)(3) of the internal Revenue Code;
 11. A copy of the charitable clinic's or organization's bylaws;
 12. A score of 75% or higher on the Arizona jurisprudence examination; and
 13. The applicant's notarized signature attesting to the truthfulness of the information provided by the applicant.
- E. The Board shall process a restricted permit application in accordance with R4-7-502(D) through (J).

Historical Note

New Section made by final rulemaking at 8 A.A.R. 259, effective December 17, 2001 (Supp. 01-4).

R4-7-1203. Issuance and Renewal of a Restricted Permit

- A. The Board may issue a restricted permit for a period not to exceed one year or until December 31 of the year in which the restricted permit is issued, whichever period is lesser. The Board may renew the restricted permit for a period not to exceed one year upon submission to the Board of a complete permit renewal application.
- B. A restricted permit holder who applies for renewal of the restricted permit shall provide the following information:
 1. The restricted permit holder's full name;
 2. All of the restricted permit holder's current home and office addresses, home and office phone numbers, and office facsimile numbers;

3. A copy of the restricted permit holder's contract with a charitable clinic or organization that identifies the name and location of the organization and contains the information required by A.R.S. § 32-932 (C), and documentation that the organization meets the requirements of § 501(C)(3) of the Internal Revenue Code;
 4. The restricted permit holder's social security number;
 5. A record of any professional disciplinary investigation or sanction taken against the restricted permit holder by a licensing board since the restricted permit holder last applied for a restricted permit in this or any other state, submitted directly to the Board by the licensing board;
 6. A record of any civil penalty or conviction or plea agreement for a misdemeanor or a felony since the restricted permit holder last applied for renewal of the permit, submitted directly to the Board by the agency or court of jurisdiction;
 7. A list of required continuing education courses that the restricted permit holder has completed; and
 8. The restricted permit holder's signature attesting to the truthfulness of the information provided by the restricted permit holder.
- C. The Board shall not renew a restricted permit if the restricted permit holder:
1. Has been the subject of disciplinary sanction in any jurisdiction or convicted of a felony or a misdemeanor involving moral turpitude;
 2. Is currently under investigation for a violation of any state law relating to licensing of health care professionals, or charged with a felony or a misdemeanor involving moral turpitude.
 3. Has two or more complaints filed against the restricted permit holder within the past year;
 4. Fails to meet the requirements of A.R.S. § 32-932; or
 5. Fails to submit a complete restricted permit renewal application before January 1 of the calendar year for which application is made.
- D. The Board shall process a restricted permit renewal application in accordance with R4-7-503(Q) and R4-7-504.
- E. The Board shall not issue or renew a restricted permit unless the Board approves the charitable clinic or organization by which the applicant will be employed. The Board shall not approve a charitable clinic or organization unless the clinic or organization:
1. Is licensed and in good standing under A.R.S. § 36-407;
 2. Offers professional medical services;
 3. Offers chiropractic services for which the clinic, organization or permit holder does not receive compensation; and
 4. Operates in all other respects in accordance with state and federal law.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 259, effective December 17, 2001 (Supp. 01-4).

R4-7-1204. Regulation

- A. A restricted permit holder shall comply with this Article and applicable provisions of A.R.S. § 32-900 et seq.
- B. The Board or its designee may conduct periodic and random audits of the permit holder's patient records.
- C. The Board may sanction a permit holder under A.R.S. § 32-924(A) for any violation of A.R.S. § 32-900 et seq.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 259, effective December 17, 2001 (Supp. 01-4).

ARTICLE 13. CHARGES**R4-7-1301. Additional Charges**

A. The Board shall collect charges for services as follows:

1. \$40.00 for directories, address labels, or lists of licensees, applicants, or other regulated parties.
2. \$40.00 for annual subscriptions for meeting minutes, agendas, or other agency documents published and provided on an ongoing basis.
3. \$10.00 for a jurisprudence booklet.
4. \$5.00 for a duplicate renewal receipt.
5. \$20.00 for a duplicate ornamental license.
6. \$20.00 for a duplicate ornamental certificate.

7. \$2.00 for a hard copy of a credential verification.
8. 25¢ per page for the preparation and copying of public records.
9. \$25.00 for a verification of a license in good standing.

B. All charges are non-refundable.

Historical Note

New Section adopted by final rulemaking at 5 A.A.R. 4532, effective November 9, 1999 (Supp. 99-4). Amended by final rulemaking at 7 A.A.R. 4328, effective September 20, 2001 (Supp. 01-3). Amended by final rulemaking at 9 A.A.R. 5026, effective January 3, 2004 (Supp. 03-4).